



JP

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of .

Tsuyoshi KANEKO

Group Art Unit: 2839

Application No.: 10/670,559

Examiner: J. Nasri

Filed: September 26, 2003

Docket No.: 116945

For: OPTICAL WAVEGUIDE AND METHOD OF MANUFACTURING THE SAME,
CIRCUIT BOARD, OPTICAL MODULE, AND OPTICAL TRANSFER APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the August 10, 2004 Restriction Requirement, Applicant provisionally elects Group I, claims 1-15, with traverse.

It is also respectfully submitted that the subject matter of all claims 1-30 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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JAO:DEB/tbh

Date: September 2, 2004

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